

ANTI-DISCRIMINATION REGULATIONS of the Gdansk College of Health

§ 1

Scope of Application

The Regulations define the rules and procedure in the process of preventing mobbing and discrimination at the Gdansk College of Health. It applies to all members of the academic community.

§ 2

General principles

1. Any mobbing, discrimination or encouraging to these is prohibited at the workplace.
2. Relations between all members of the community of the Gdansk College of Health (hereinafter referred to as "WSZ"), including between superiors and subordinates as well as those conducting classes and students, are based on the principle of respect and tolerance and respect for personal dignity.
3. In order to prevent discrimination, WSZ is obliged to take all actions permitted by law, including in particular:
 - 1) promoting desirable attitudes and behaviours in relations between members of the academic community, consistent with the principles of social coexistence;
 - 2) disseminating knowledge concerning the phenomena of mobbing and discrimination, methods of preventing their occurrence and the consequences of their occurrence;
 - 3) monitoring mobbing and discrimination issues and applying anti-mobbing and anti-discrimination procedures in practice.
4. University authorities and direct superiors of employees counteract behaviours that have the characteristics of mobbing and discrimination and they react to their manifestations.
5. Baseless accusation of mobbing or discrimination is prohibited and may also be the subject of proceedings regulated by these regulations.

§ 3

Definitions of terms used

The terms used in the regulations mean:

- 1) Mobbing - actions or behaviours concerning an employee or a student or aimed at an employee or student, consisting in persistent and long-term harassment or intimidation, causing him an underestimation of their professional suitability, causing or aiming at humiliation or ridiculing, isolating a person or eliminating him or her from a team;
- 2) Discrimination - any unequal treatment of a person in a situation comparable to another person, where the motive for unequal treatment is, in particular, one or more of the following characteristics: gender, age, disability, race, nationality, political beliefs, union affiliation, ethnicity, religion, sexual orientation, temporary or indefinite employment, full-time or part-time employment. Discrimination based on gender is also any unwanted sexual or gender-related behaviour which has the purpose or effect of violating the dignity of a person, in particular by creating an intimidating, hostile, degrading, humiliating or derogatory atmosphere; this behaviour may consist of direct or indirect actions;
- 3) Mediator - a first contact person whose task is to monitor, prevent and consider at the mediation stage the process of counteracting mobbing and discrimination of disputes on the basis of mobbing or discrimination in WSZ;
- 4) Interested - a WSZ employee or a student who recognizes that he / she has been subjected to mobbing or discrimination.

§ 4 Mode of proceedings

1. Proceedings in WSZ on preventing the phenomena of mobbing and discrimination and eliminating their effects are carried out in two successive stages:

- 1) mediation stage;
- 2) formal stage.

2. At the mediation stage, mediation proceedings are applied, the purpose of which is to amicably resolve a dispute or conflict.

§ 5 Anti-mobbing and anti-discrimination bodies

1. In order to prevent mobbing and discrimination as well as their effects, the WSZ shall appoint:

- 1) the Committee on Prevention of Mobbing and Discrimination, each time in a specific case,
- 2) and the Mediator - for a definite period, however not longer than to the end of the Rector's term of office.

2. The Mediator should have knowledge and experience in the field of labour law, including anti-mobbing and discrimination issues, have a good reputation in the workplace and recognized experience in conflict resolution.

3. A person appointed as a Mediator may not hold managerial functions at the University.

§ 6 The Committee on Prevention of Mobbing and Discrimination

1. Considering the matters by the Committee for the Prevention of Mobbing and Discrimination, hereinafter referred to as the "Committee", shall be carried out in accordance with the principles of:

- 1) promptness;
- 2) confidentiality;
- 3) impartiality.

2. The Committee shall consist of three members, including one representative of the employees. The members of the Committee are appointed by the Rector, indicating the chairman of the Committee.

3. Members of the Committee should have knowledge and experience in the field of labour law, including issues on prevention of mobbing and discrimination.

4. Persons performing actions on the reported harassment cases are obliged to maintain confidentiality regarding all the facts acknowledged in the progress, as well as not to copy or distribute documents concerning the case.

§ 7 Preliminary proceedings

1. Anyone interested has the opportunity to submit a complaint to the Mediator as a first contact person, providing support and assistance to those interested.

2. Any official complaint to the Mediator about the occurrence of mobbing or discrimination should contain:

- 1) a description of the actions or behaviour, including abandonment, which in the opinion of the person concerned mean mobbing or discrimination;
- 2) providing the name and surname of the person or persons who, in the opinion of the person concerned, are guilty of mobbing or inequality / discrimination;
- 3) providing the evidence justifying the occurrence of an act or behaviour, including abandonment, which in the opinion of the person concerned are mobbing or discrimination, and that the act or behaviour presented by the person concerned, including abandonment, has or has taken

place recently, not less than one month.

3. Anonymous complaints will not be taken into consideration.

§ 8

Actions undertaken by the Mediator (mediation proceedings)

1. The Mediator is obliged to:

- 1) examine the case, conduct a meeting with the person concerned and to possibly qualify it for the formal stage - within 14 days from the date of receipt of the official complaint;
- 2) assist the parties to the dispute or conflict in mutual communication, in determining interests and issues for discussion and in reaching an agreement;
- 3) provide relevant information on the functioning of regulations in force in the field of counteracting mobbing and discrimination within the WSZ;
- 4) attempt to solve the problem in the least stressful way for participants;
- 5) make every effort to ensure that the parties to the conflict agree to conduct mediation;
- 6) conduct mediation that is confidential;
- 7) propose a way to solve the problem to the parties;
- 8) in the case of a successfully completed mediation proceeding – to prepare and lead to signing the settlement by the parties;
- 9) prepare a document on the course of the case ending the mediation stage (in four copies, one copy for the interested party, for the person / persons concerned, the Rector and for the case file), which is necessary to start the process at the formal stage in the event of failure to sign settlements;
- 10) forward the documentation immediately to the Chairman of the Committee individually appointed by the Rector to resolve a given case in order to initiate formal proceedings.

§ 9

Actions undertaken by the Committee on Prevention of Mobbing and Discrimination (formal proceedings)

1. Within 30 days of the establishment of the Committee, the Chairman of the Committee determines the facts and assesses whether suspected mobbing or discrimination was given credence to.
2. A person who is a party to the pending proceedings or remains with one of the parties in such an actual or legal relationship that the outcome of the case could affect their rights and obligations cannot be appointed to the Committee.
3. The Committee shall meet in meetings. From each meeting, the minutes shall be prepared and be signed by all meeting participants.
4. The Committee is authorized to:
 - 1) have an insight into the documents necessary to clarify the matter,
 - 2) hear the applicant and the person accused of mobbing;
 - 3) summon and hear the persons indicated by the parties to the proceedings as witnesses of events;
 - 4) carry out other actions that would be of significant importance in the explanatory proceedings.
5. Having conducted the explanatory investigation, the Committee, by an ordinary majority of votes, decides on the legitimacy of the complaint in question and prepares a written opinion on the matter, as well as the justification.

§ 10

Closing the proceedings in the Committee

Within 14 days of the end of the proceedings, the Chairman of the Committee shall forward the opinion together with the justification to the Rector, the person notifying about the event, the alleged offender and his superiors.

§ 11

Dissemination the knowledge about anti-mobbing procedure

1. The Rector's obligation is to immediately familiarize with the procedure the persons employed in the WSZ in the manner adopted for the mode of acquainting with documents and legal acts.
2. Information on anti-discrimination Regulations and all related regulations shall be disseminated on the WSZ website.

§ 12

Final provisions

- 1 . The Regulations enter into force on October 1, 2019.